

PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Masanao IDOGAWA, et al.  
Group Art Unit : ~~(Unassigned)~~ 3747  
Application No. : (Natl. Phase of **PCT/IB2005/003800**) 10/586,992  
Examiner : ~~(Unassigned)~~ HIEU VO  
Filed : ~~(Herewith)~~ 07/21/2006  
Docket No. : **10517/338**  
For : **VALVE CHARACTERISTIC CONTROL APPARATUS  
FOR INTERNAL COMBUSTION ENGINE**

INFORMATION DISCLOSURE STATEMENT

## COMMISSIONER FOR PATENTS

Customer Service Window  
Randolph Bldg.  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

☒ 1. This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action

on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☐ c. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).
- ☐ 3. This Information Disclosure Statement is being filed after the mailing date of a final action, Notice of Allowance or an action that otherwise closes prosecution, but before payment of the Issue Fee. Applicant(s) hereby request(s) that the Information Disclosure Statement be considered. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☐ 4. Relevance of the non-English language reference(s) is discussed in the present specification.
- ☐ 5. The reference(s) was/were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ 6. A concise explanation of the relevance of certain non-English language reference(s) appears in the Appendix attached hereto.
- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_\_, filed, which is directed to related technical subject

matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

☐ 8. This application is one of a series of related applications, identified in the attached Appendix, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during the examination.

☐ 9. The reference(s) was/were cited by or submitted to the Office in parent application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).

☒ 10. English-language Abstracts of the non-English language references are attached thereto.

☒ 11. Copies of U.S. references are not required.

☒ 12. Other: Four off the references were cited in the International Search Report. Copies of the International Search Report and the Written Opinion of the International Searching Authority are enclosed. JP 2003-120348 is described in the specification on page 1.

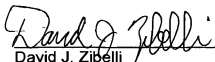
In addition, the following comments are supplied:

**JP A 2003-120348**: Retard control of an exhaust valve is performed for a predetermined period following engine start up. As a result, unburned HCs contained in combustion gas are combusted again, and emissions are improved.

**JP A 2002-13419**: The same overlap amount is set for a predetermined period following engine start up, and valve timing is retarded.

**JP A 2002-161770**: The same overlap amount is set for a predetermined period following engine start up, and valve timing is retarded.

Respectfully submitted,

  
David J. Zibelli  
(Reg. No. 36,394)

Date: 21 July 2006

KENYON & KENYON LLP  
1500 K Street, N.W.  
Washington, D.C. 20005

Telephone: (202) 220-4200  
Facsimile: (202) 220-4201

PTO/SB/089 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**Complete if Known** 10/586,992

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Application Number	(Nat'l. phase of PCT/IB05/003800)
--------------------	-----------------------------------

Filing Date	(Hereby)
-------------	----------

Rating Date	(Here write)	1/580992
Rating Date	(Here write)	1/580992

First Named Inventor	Masamichi DOGAWA
----------------------	------------------

Art Unit	<del>(Unassigned)</del>	3147
----------	-------------------------	------

Examiner Name ~~(Unassigned)~~ HIEU VO

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	/Hieu Vo/	Date Considered	08/27/2008
--------------------	-----------	-----------------	------------

[illegible]

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HV/